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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/096,832

06/12/1998

ERIC A. WACHTER

PHO-104

2268

7590

09/13/2006

EDWARD D MANZO
COOK EGAN MCFARRON & MANZO
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EXAMINER

BARRETT, THOMAS C

ART UNIT

PAPER NUMBER

3738

DATE MAILED: 09/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Mark J. Murphy
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In re Application of	:	
Wachter et al.	:	DECISION ON PETITION
Serial No. : 09/096,832	:	TO ACCEPT
Filed : June 12, 1998	:	COLOR PHOTOGRAPHS
For: IMPROVED METHODS AND APPARATUS:	:	
FOR MULTI-PHOTON PHOTO-ACTIVATION :	:	
OF THERAPEUTIC AGENTS	:	

This is a decision on petitioner's request filed October 1, 2004 to accept color photographs.

Under 37 CFR 1.84(b)(2) color photographs will be accepted in utility applications if : (a) a fee as set forth in 37 CFR 1.17(h) is submitted; (b) three (3) sets of color drawings are provided; (c) a black and white photocopy accurately depicting, to the extent possible, the subject matter shown in the color drawing is submitted; and (d) the specification is amended by inserting as the first paragraph of the brief description of the drawings the following language:

The patent or application file contains at least one drawing executed in color.
Copies of this patent or patent application publication with color drawing(s) will
be provided by the Office upon request and payment of the necessary fee.

Applicant has failed to comply with the above requirements. The request did not include an amendment to the specification inserting, as the first paragraph of the brief description of the drawings, the language as set forth above. Accordingly, the petition to accept color photographs is dismissed.

Summary: Petition to accept color photographs dismissed.



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